

ENV1: Norfolk Coast Area of Outstanding Natural Beauty & The Broads

The purpose of this policy is to ensure that the statutory duty and appropriate high level of protection is given to these designated landscapes through conservation and enhancement of the defined special qualities of the Norfolk Coast Area of Outstanding Natural Beauty and the Broads¹

Local authorities have a legal duty to have regard to the statutory purpose of conserving and enhancing the natural beauty of AONBs and National Parks during plan-making and decision-taking on individual developments. This duty also applies to Parish and Town Councils during the preparation of Neighbourhood Plans. These statutory duties are set out in the National Parks and Access to the Countryside Act (1949) and Countryside and Rights of Way Act (2000) and in which, Areas of Outstanding Natural Beauty (AONBs), along with National Parks are recognised to be of national importance for their landscape quality and, as nationally designated landscapes, are afforded the highest status of protection in relation to landscape, tranquillity and scenic beauty. This is re-affirmed in paragraph 172 of the National Planning Policy Framework (NPPF) which states that great weight should be given to conserving and enhancing landscape and scenic beauty in the Broads and Area of Outstanding Natural Beauty, AONB. As such protection of these scenic requirements along with conservation and enhancement of wildlife and cultural including historic heritage are closely linked and are material considerations for any development proposals located within these areas.

The Norfolk Coast AONB includes the greater part of the remaining unspoiled coastal areas between the Wash and Great Yarmouth covering an area of 453 sq. km. 245.5 sq. km are within North Norfolk and 7.2 sq. km within the Broads Authority (the only example of an AONB overlapping with a national park / equivalent designation). Parts of the Norfolk Coast AONB are within existing built up areas and major towns of the District. Proposals in these areas need careful consideration and will be assessed having regard to their landscape and visual impact on the surrounding area and the wider benefits and public interest that they may bring.

Although both designations are of national importance for their landscape and the specialist habitats that they provide the Norfolk Coast AONB and The Broads are also valuable assets for North Norfolk in terms of character and beauty, sustainable tourism, quality of life and also as wildlife habitats. The designations also extend to include the areas of several growth towns and villages as identified in the settlement hierarchy. The Broads Authority is the Local Planning Authority for the Broads Area and policies in the Broads Local Plan apply there. Development in North Norfolk can however affect the Broads in a variety of ways such as through light pollution, noise, landscape and visual impact and run off affecting water quality. Proposals should therefore carefully consider any direct or indirect effects on The Broads. In the case of development affecting the AONB the Council will expect proposals to have had regard to the content of the AONB's Statutory Management Plan (or successor documents)².

Although the AONB is recognised as a sensitive landscape, development should not be prevented purely on the basis of its designation. Any development proposals within or affecting its setting will have to demonstrate clearly that they are appropriate to the landscape character type and designation. Sites that are suitable for housing outside Local Plan allocations should be developed specifically to meet local affordable and other locally

¹ The Broads has the status of a National Park and in 2016 the High Court and Court of Appeal upheld the Broads Authority decision to use the term 'Broads National Park'. The Broads Authority is the equivalent of a National Park Authority but with some additional powers and responsibilities which include the management of the waterways.

² <http://www.norfolkcoastaonb.org.uk/partnership/2019-24-management-plan-consultation/377>

Appendix 2 Emerging Policies Discussion Draft PPBHP

identified housing needs³. This is not limited to only affordable housing provision but also to ensure wider local needs are met and a wide range of people are able to continue to work and live in the AONB. To do otherwise would fail to address these needs, which could then only be met by releasing more sensitive sites, causing harm and compromising the primary purpose of the AONB designation

National policy⁴ advises that the scale and extent of development within these nationally designated areas should be limited and that major developments should not take place in AONBs except in exceptional circumstances. Footnote 55 of the NPPF advises that whether a proposed development constitutes major development will be a matter for the relevant decision taker, taking into account the individual characteristics and circumstances of the proposal and the local context.

In determining whether a proposed development constitutes major development in the Norfolk Coast AONB is a matter for the decision maker and the Council will consider whether by reason of its scale, form, character and nature, the proposal has the potential to have significant adverse impact on the landscape, wildlife, cultural heritage or special qualities of the AONB and whether it seeks to address the identified housing needs and is in the wider public interest such as helping to address coastal adaptation. Examples of major development may include medium and large scale housing development, commercial development that is out of keeping with the landscape, caravan sites, tall vertical structures, high voltage overhead power lines, renewable energy schemes and quarrying.

Consideration of exceptional circumstances by the Council will include a review of the proposal in relation to:

- The need for the development, including any national considerations, and the impact of permitting or refusing it upon the local economy; and
- The cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- Any detrimental effect on the environment, the landscape and recreational opportunities and the extent to which that could be moderated.
- its regard to the objectives of the AONB statutory Management Plan; and
- Alignment with the Key Characteristics, Valued Features and Guidelines set out in the North Norfolk Landscape Character Assessment SPD, 2021
- Opportunities to deliver significant public benefits through the enhancement of landscape features, wildlife, cultural heritage, biodiversity and reinstatement of habitat including , in particular those which contribute to the distinctive sense of place, relative wildness or tranquillity, or to other aspects of landscape and scenic quality.
- Its relevance to the economic, social and environmental wellbeing of the area and it is demonstrated that the proposal is sustainable and appropriately located.

Smaller developments can also be harmful and any development proposals that, by virtue of their scale, design, and/or location, might cause significant adverse impacts on the Norfolk Coast AONB or The Broads will not be permitted other than in exceptional circumstances. Small scale developments that are essential for economic and social wellbeing including meeting local needs, or other uses which are necessary to sustain the area such as

³ This does not apply to development sites allocated by the Local Plan because the need for those developments and scope for them to be accommodated elsewhere outside the Area of Outstanding Natural Beauty was assessed during Plan preparation. Allocated sites address a wider District need and are part of a wider strategy.

⁴ NPPF 2019 para 172

employment and community uses will also need to be well related to existing settlements and in line with other policies contained in the Development Plan.

Consideration should be given to both the individual and cumulative impacts of a proposal in any Landscape and Visual Impact Assessment, which will need to be carried out in line with current best practice. Proposals which would have a significant adverse effect upon the character of the landscape or which would harm the landscape quality, nature conservation interests, geodiversity interests or cultural heritage will not be permitted.

Many of the areas that are likely to experience erosion are either within or in close proximity to the Norfolk Coast AONB. Policy SD 12 '**Coastal Adaptation**' outlines the circumstances in which development can be permitted in the wider Countryside Designation where it replaces that threatened by coastal erosion. As such Development that complies with **Policy SD12** is acceptable in principle within the AONB.

Policy ENV 1

Norfolk Coast Area of Outstanding Natural Beauty & The Broads

The highest degree of protection will be given to the designated landscapes and settings of the **Norfolk Coast Area of Outstanding Natural Beauty** and **The Broads**,

Development proposals should contribute positively and conserve and enhance these valued landscapes and their settings through appropriate siting, scale, massing, materials, and design.

Proposals for major development will be refused, unless exceptional circumstances exist and it can be demonstrated that the proposal is in the public interest.

Proposals located within or within the setting of a protected landscape must demonstrate how they:

- respect the scenic quality and maintain an area's distinctive sense of place, and reinforces local distinctiveness and local landscape character as defined by the North Norfolk Landscape Character Appraisal 2021 SPD⁵, having particular reference to the defined key characteristics and valued features;
- conserve and enhance wildlife and cultural heritage including flora, fauna, and geological features;
- minimise negative impacts on key qualities of tranquillity and sense of remoteness and nocturnal landscape character;
- avoid, mitigate and compensate, for any residual adverse effects;
- are limited in scale and are sustainable and are appropriately located locations;
- are relevant to the economic, social and wellbeing of the area;
- further the delivery of the objectives of the Statutory Management Plans

Development proposals which are considered to have potential adverse impacts on the local landscape character will need to be informed by a Landscape and Visual Impact Assessment undertaken in accordance with current best practice.

⁵ Or subsequent updates

ENV2: Protection & Enhancement of Landscape & Settlement Character

The purpose of this policy is to ensure that development proposals reflect the defining and distinctive qualities of the varied landscape character areas, their key characteristics and valued features and the character, appearance and integrity of the historic and cultural environment of North Norfolk.

The variety, quality and uniqueness of the landscape, both visually and historically, are central to the attractiveness, distinctiveness and diversity of the District. The visual character of North Norfolk's landscapes, seascapes, townscapes, both within and outside of designated areas, is highly valued by residents and visitors. The NPPF recognises that policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of geological value and soils (in a manner commensurate with their statutory status or identified quality)⁶

Nine types and sixteen landscape character areas make up North Norfolk's unique and varied landscape, as defined in the North Norfolk Landscape Character Assessment, 2021 SPD. High priority is given to the protection, conservation and enhancement of the landscape character(s). New development should be well-designed to sustain, enhance and/or create landscapes and townscapes with a strong sense of place and local identity.

The Council will use its adopted Supplementary Planning Documents, SPDs⁷ detailing Landscape Character, LCA, and Landscape Sensitivity Assessments⁸, Conservation Area Appraisals and other relevant evidence to assess the character of the District and its sensitivity to change. Appendix XX details fig 1.3 of the LCA, and sets out a flow chart to assist development proposals and decision making. Development will be supported provided it does not adversely impact the identified intrinsic character and beauty of the District, is informed by the 2021 North Norfolk Landscape Character Assessment, SPD, and separate Landscape Sensitivity Assessment SPD and complies with other relevant policies of the Local Plan.

The Local Plan contains policies relating to specific designations such as the AONB, Undeveloped Coast and Heritage Coast as well as policies on design, green infrastructure, biodiversity & geology, trees and hedgerows coastal management, renewable energy, heritage and nature conservation, and all these policies will contribute towards the conservation and enhancement of the landscape. Policy ENV2 ensures that the landscape qualities of the District are conserved and enhanced to attract and retain people to the area, and that landscape considerations are properly taken into account when new development is planned ensuring great resilience and enhancement.

Development proposals which are considered to have potential adverse impacts on the local landscape character will need to be informed by a Landscape and Visual Impact Assessment, LVIA. Such assessments should follow best practice guidelines, should systematically assess the effects of change on both the individual and cumulative level, and inform proportionate mitigation in order to minimise identified impacts. Proposals which would have a significant adverse effect upon the character of the landscape or which would harm the landscape quality, nature conservation interests, geodiversity interests or cultural heritage will not be permitted.

⁶ NPPF 2019 para 170

⁷ Adopted 2021 and or subsequent updates

⁸ In relation to renewable energy

Many areas of North Norfolk are sparsely populated resulting in dark night skies highlighted as a defining feature of the prevailing landscape character. Development proposals should have regard to nocturnal character and align with the latest government guidance on external lighting along with advice from professional bodies such as the Institute of Lighting Professionals.

Policy ENV 2 Protection & Enhancement of Landscape & Settlement Character

Proposals for development should be informed by, and be sympathetic to: **the key characteristics and valued features** of distinctive Landscape Types and Character Areas, ~~and their strategic objectives and considerations~~ **guidelines** as identified in the **North Norfolk Landscape Character Assessment SPD 2021** and **Landscape Sensitivity Assessment SPD 2021**⁹ and relevant Conservation Area Appraisals. ~~and features identified in relevant settlement character studies.~~

Outside of designated landscapes the Council will support development which is in scale and keeping with the defined landscape character and which is appropriate to its surroundings in terms of siting, design, materials, external appearance and landscaping. Consideration will be given to both the individual and cumulative impacts of a proposal.

Development proposals should demonstrate that their location, scale, design and materials will protect, conserve and, ~~where possible~~, and enhance:

1. ~~the special~~ **defining** qualities and local distinctiveness of the **Landscape Character Type area** ~~(including its historical, biodiversity and cultural character);~~ **including its key characteristics, valued features and qualities (including historical, cultural biodiversity interests) and the relevant vision and landscape guidelines;**
2. ~~gaps between settlements, and their landscape settings;~~
3. **the** distinctive settlement character;
4. the pattern and **quality** of the distinctive landscape features, such as watercourses, woodland, trees and field boundaries, and their function as ecological corridors for dispersal of wildlife;
5. visually sensitive skylines, hillsides, seascapes, valley sides and geological features;
7. the setting of, and **views into** and from the AONB, the Broads, Conservation Areas and **Historic Parks & Gardens; Registered Parks and Gardens;**
6. Nocturnal character;
8. ~~the defined Setting of Sheringham Park, as shown on the Policies Map~~¹⁰

Development should, ~~where possible~~, be directed to areas where the landscape is either not sensitive to change, or is of a lower landscape sensitivity. Where development is proposed in areas of higher landscape sensitivity, applications will be expected to demonstrate how the impact on the landscape will be minimised by appropriate mitigation. In the case that a development is not able to be made acceptable by mitigation measures, such proposals will be refused.

Proposals should **demonstrate** ~~include~~ measures that enable a scheme to be well integrated into the landscape, ~~and~~ enhance connectivity to the surrounding green infrastructure and Public Rights of Way network **and provide biodiversity enhancements** in accordance with Policy ENV 5 'Green Infrastructure' and Policy ENV 8 'Public Rights of Way'

⁹ With particular regard to renewable energy and low carbon development

¹⁰ This can be viewed on the existing Core Strategy Proposals Maps: <https://www.north-norfolk.gov.uk/proposalsmap>

Development proposals which are considered to have potential adverse impacts on the local landscape character will need to be informed by a Landscape and Visual Impact Assessment, LVIA, undertaken to current best practice.

ENV4 Biodiversity & Geology

The purpose of this policy is to protect and enhance biodiversity and geodiversity.

North Norfolk contains a wealth of biodiversity and natural environmental assets and the protection and enhancement of designated areas such as SSSIs and ~~Ramsar~~ **Habitats Sites** is paramount. The Council has statutory duties in relation to their protection (47). Such sites are identified on the Policies Map. In addition, guidance is provided by the Government on how to review planning applications that might affect protected sites and areas (48). Such applications must be assessed in accordance with this guidance **and professional best practice**.

Section 40 of the Natural Environment and Rural Communities Act 2006 imposes a duty on all public authorities to have regard to the purpose of conserving biodiversity (where 'conserving' includes restoring or enhancing a population or habitat). In 2018 the Government indicated that they intend to require developers to demonstrate how they are improving the biodiversity of a site, to deliver a biodiversity net gain (**BNG**) (49). This is part of an ambition to embed the wider principle of environmental net gain in development. Development that adopts a biodiversity net gain approach seeks to make its impact on the environment positive, delivering improvements through habitat creation or enhancement after avoiding or mitigating harm as far as possible.

The following policy supports this intention. When preparing applications applicants should, in accordance with the mitigation hierarchy, consider the potential effects of the proposal on biodiversity; demonstrating how potential effects have been avoided, and where this is not possible, adequately mitigated for. Any residual harm, after all measures to prevent and adequately mitigate have been applied, must be adequately compensated for. Biodiversity net gains and contribution to ecological networks should be sought for all development, proportionate to the scale of the proposal and any potential impacts. A development with limited or no impacts on biodiversity should still seek to demonstrate a biodiversity net gain wherever possible. This will include, but not be limited to, the protection of features such as trees, hedgerows, ponds, meadowland and woodland, designing buildings to include roosting or nesting spots and including landscaping within sites and along boundaries which can provide feeding and nesting opportunities as well as acting as habitat corridors aiding the passage of wildlife between sites.

Biodiversity is essential to sustain our society and economy. Enhancing biodiversity is integral to sustainable development and BNG is an approach to embed and demonstrate biodiversity enhancement within development.

(47) Circular 06/2005 Biodiversity & Geological conservation – Statutory obligations and their impact within the planning system.

(48) <https://www.gov.uk/guidance/protected-sites-and-areas-how-to-review-planning-applications> accessed on 11/12/18.

(49) Net gain consultation proposals, DeFRA Dec 2018.

Appendix 2 Emerging Policies Discussion Draft PPBHWP

It involves first avoiding and then minimising biodiversity loss as far as possible, and achieving measurable net gains that contribute towards local and strategic biodiversity targets. Its application should be proportionate to the scale of the development and its effects on biodiversity and in accordance with best practice principles and relevant standards.

BNG does not apply to statutory sites or irreplaceable habitats, in which impacts should be avoided where possible or addressed as fully as possible by adhering to the mitigation and legislative requirements on a case by case basis. It is possible to achieve BNG for small scale development and those where there is little or no impact on biodiversity. Small-scale development proposals form a significant proportion of the planning applications received by this authority and collectively these applications could make a notable contribution to BNG. BNG must be measurably demonstrated for development using a recognised calculation methodology. The Defra Biodiversity Metric V2 is the most established and commonly used metric to measure BNG and it is recommended that this be used to measure BNG for development.

The highest level of protection will be given to International and European sites, with development only permitted where the proposal is in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended) or any successive Regulations. Any development with the potential to impact on a Special Protection Area (SPA), Special Area for Conservation (SAC) or Ramsar site will need to be supported by information to inform a Habitat Regulations Assessment, in accordance with the Conservation of Habitats and Species Regulations 2017 as amended (or subsequent revisions). Measures to mitigate for potential adverse effects on European sites are required, the proposed mitigation measures must be justified as fit for purpose with appropriate evidence and prepared with the best available factual information, to inform the relevant Habitats Regulations Assessment.

All residential (including tourist accommodation) development has the potential to result in a significant increase in recreational disturbance at the Norfolk Habitats Sites. Measures required to mitigate the impacts of recreational disturbance on Habitats Sites will be delivered as detailed in the Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (RAMS). Residential development has the potential to affect the integrity of Habitats Sites and will be required to either contribute towards mitigation measures identified in the RAMS (or any subsequent Supplementary Planning Document) or, in exceptional circumstances, identify and implement bespoke mitigation measures in perpetuity to ensure compliance with the Habitats Regulations

Proposals should particularly seek to contribute towards the objectives for priority habitats and species (50) ~~identified in the Norfolk Biodiversity Action Plans (BAP)~~ and to the protection, enhancement and linking of core areas identified in the North Norfolk Green Infrastructure Strategy (NNGIS), which ~~has~~ **have** evolved from the earlier Ecological Network mapping for the District **and/or successive Nature Recovery Networks as identified in the 25 year Environment Plan or successive plans.**

(50) Habitats and species of principle importance - Section 41 of the NERC Act 2006, Norfolk Biodiversity Action Plan habitats and species, Biodiversity 2020, and 25 Year Environment Plan

The enhancement and expansion of the existing resource will be a priority. There is a need to expand and re-connect existing areas and restore habitats where they have been destroyed. In North Norfolk these include increasing woodland, heathland and wood pasture in the Cromer Ridge area and management of the Broads margins to develop semi-natural habitats

Appendix 2 Emerging Policies Discussion Draft PPBHWP

including heathland. The Council's Landscape Character Assessment 2018 also provides guidance on appropriate landscape and habitat creation.

The Norfolk Biodiversity Information Service can provide **habitat and general** species distribution data **to inform Ecological Impact Assessments required** for development. ~~sites and further information is also available from the Norfolk Wildlife Trust and the Norfolk Biodiversity Partnership.~~ Natural England can provide detailed information **and advice through their Discretionary Advice Service** regarding ~~sites of geological importance~~ **designated and protected sites.**

Where necessary, applications must be supported by an Ecological Impact Assessment (EclA) in accordance with BS42020:2013 and CIEEM Best Practice Guidelines. The EclA will need to include the results of all surveys and assessments that are deemed necessary by a Suitably Qualified Ecologist; a non-technical summary is provided of the net losses and gains for biodiversity of the development to provide clarity and certainty regarding the ecological impacts of the development and any necessary mitigation or compensation in order that the Local Planning Authority has sufficient information to make a decision.

The Shoreline Management Plan (SMP) identifies areas that could become permanently flooded under different options for long-term coastal realignment. If this occurs, then opportunities for creating new habitats in these areas will be taken where possible and replacement habitats may need to be provided to ensure no net loss of important habitats. This is especially important for The Broads National Park which contains habitats of international significance.

Policy ENV 4

Biodiversity & Geology

Development proposals where the principal objective is to conserve or enhance biodiversity or geodiversity interests of European, international, national and local nature conservation designations will be supported in principle.

A) All development proposals will be expected to:

1. provide a suitable ecological survey to establish the extent of potential impact where there are grounds to believe that ancient woodland, veteran trees, protected species (*1), priority species or priority habitat (*2) may be affected during and after development;
2. retain, protect and buffer ecological and geological features and provide for the appropriate management of those features;
3. deliver a measurable biodiversity net gain;
4. incorporate biodiversity enhancement features, by designing-in provisions for wildlife, including the provision of nests and roosts (*3); and
5. avoid the net loss or fragmentation of habitats and support the creation of coherent ecological networks in urban and rural areas and through Nature Recovery Networks.

Where the adverse impacts of development on biodiversity are identified, they must be proportionately addressed in accordance with the mitigation hierarchy of:

- i. Avoidance;
- ii. Mitigation;
- iii. Compensation

The Council will secure effective avoidance, mitigation and compensation through the imposition of planning conditions or planning obligations as appropriate including monitoring for the effectiveness of these measures.

Where the requirements of this hierarchy cannot be met, development will be refused.

B) International (*4) and European (*5) Designated Sites

Development will only be permitted where the proposal is in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended) or any successive regulations, determining site specific impacts and avoiding or mitigating against impacts where identified.

Where appropriate, contributions from developments will be secured towards mitigation measures as identified in the Norfolk Green Infrastructure and Recreational Impact Avoidance & Mitigation Strategy (RAMS).

C) Nationally (*6) and Locally (*7) Designated Sites

Development likely to have a direct or indirect adverse effect will only be permitted where it can be demonstrated that the need and benefits of the development clearly outweigh both the adverse impacts of the notified special interest features of the site and any adverse impact on the wider network of natural habitats.

(*1) Including but not limited to those species protected under the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended) and the Protection of Badgers Act 1992.

Appendix 2 Emerging Policies Discussion Draft PPBHP

(*2) Those identified in the 25 Year Environment Plan, the England Biodiversity 2020 Strategy, habitats and species of principle importance in Section 41 Natural Environment and Rural Communities Act 2006, habitats and species in the Norfolk Biodiversity Action Plan and any subsequent successor plans.

(*3) These include, but are not limited to: integrated swift boxes, house martin cups, sparrow terraces, integrated and external bat boxes, owl boxes, connected spaces for hedgehogs eg. 'Hedgehog Highways' and other mammals and hibernacula.

(*4) Ramsar (sites designated under the Convention on Wetlands of International Importance, agreed in Ramsar, Iran 1971)

(*5) Any site included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 (as amended) for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites

(*6) Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNR) and Marine Conservation Zones (MCZs)

(*7) Regionally Important Geological Sites, Local Nature Reserves, County Wildlife Sites, Ancient Woodland and Roadside Nature Reserves

ENV5 Provision of Green Infrastructure

The purpose of this policy is to safeguard, retain and enhance the network of green infrastructure.

National policy says that strategic policies should make sufficient provision for the conservation and enhancement of green infrastructure and should identify the strategic location of existing and proposed green infrastructure networks. ~~To assist in planning positively for green infrastructure local planning authorities may wish to prepare an authority-wide green infrastructure framework or strategy. This should be evidence-based by, for example, including an assessment of current green infrastructure provision that identifies gaps in the network and the components and opportunities for improvement.~~

Green infrastructure is a strategic network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities. It is an important part of our communities and contributes towards the identity of North Norfolk. **As set out in the Planning Practice Guidance, Green Infrastructure can embrace a range of spaces and assets, including parks, playing fields, other areas of open space, woodland, allotments, private gardens, sustainable drainage features, green roofs and walls, street trees and 'blue infrastructure' such as streams, ponds, canals and other water bodies.**

This policy has been informed by the contents of the Green Infrastructure Background Paper and **the Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy.** ~~Both of these documents set out Background Paper provide~~ a strategic approach towards improving the existing green infrastructure network and **by will ensuring** the right types of green spaces and access are provided and enhanced where they will provide the greatest benefit. ~~The Background Paper brings together key findings set out in the Council's evidence base which has been used to identify existing issues and opportunities related to green infrastructure.~~

This policy provides for the network of green infrastructure in North Norfolk to be safeguarded, retained and enhanced ~~in line with the Green Infrastructure Background Paper.~~ **In line with the policy ENV7 Open space provision, the Norfolk Recreational Impact Avoidance and Mitigation Strategy, RAMS and policy ENV4a,** local open space and enhanced green infrastructure is to be incorporated into appropriately sized proposals. Proposals of 50 dwellings or more should

Appendix 2 Emerging Policies Discussion Draft PPBHP

incorporate additional enhanced green infrastructure with the aim of providing areas attractive enough for local recreational use on or near where new homes are built that can deflect people away from Habitats Sites for recreation. Collectively development should seek to maximise opportunities for the restoration, enhancement and connection of the District's green infrastructure network throughout the lifetime of the development, both on-site and for the wider community in line with the principles, priorities and action plans detailed in the North Norfolk Green infrastructure Background paper, any subsequent SPD and the Norfolk Green Infrastructure Recreational impact Avoidance Strategy.

The Background Paper **currently** focuses on the GI opportunities for the major growth towns of Cromer, Fakenham and North Walsham and informs the site allocation proposals. The key green infrastructure improvements for the three major growth towns are illustrated on the green infrastructure settlement maps which show where existing green infrastructure is located, an overview of key findings in the area and a number of actions to improve green infrastructure. **Enhanced green infrastructure, EGI, is in addition to any local open space policy requirements identified in ENV7 and should be at such a proportionate scale and standard, as outlined in the GI/RAM Strategy and be at a scale and quality able to divert and deflect visitors from Habitat Sites. Such green infrastructure is often referred to as Suitable Alternative Natural Greenspace (SANGS). SANGS are usually one area of an alternative attractive semi-natural environment but in the context of the Norfolk GI/RAMS, EGI is proposed as an alternative to a SANG and can incorporate a network of open spaces, permissive routes and natural or semi-natural environments across a given area. Enhanced Green Infrastructure should be incorporated into to existing open spaces and or provided through opportunities for new EGI provision and specific EGI project/target areas.-The GI/RAMS identifies a number of Strategic Opportunities Areas (SOA), which could be developed to meet an enhanced standard and help act as genuine alternatives to the existing recreational destinations and help rectify deficiencies in existing provision.**

The Public Rights of Way network allows people access to enjoy North Norfolk and in the process can make a contribution towards improving their health and well-being. The Public Rights of Way network can also provide an alternative to car use for some journeys by forming an important component of the District's overall sustainable transport network, providing access on foot or by cycle to the wider countryside, services and facilities.

The NPPF at paragraph 28 states that Planning Policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

Where the location and scale of new development requires connections and / or could lead to the increased use by new and existing residents, there may be a need for improvements to the Rights of Way network in order to encourage more walking, cycling and horse riding through improved accessibility, surfacing and / or connectivity. Where this is the case, the Council will secure appropriate contributions from the applicants. Particular consideration will be given to connecting development sites with open spaces, leisure / community uses and strategic access routes, making links within the wider Rights of Way network or to creating circular or extended routes. England Coastal Path and Coastal Margin

The England Coast Path is a new long-distance trail that will eventually allow people to walk around the whole of the English coast, designated under the CROW and Marine and Coastal Access Acts. Natural England has a statutory duty to provide this path and expects the path to be complete in 2020. The designation of Coastal Margin land enables spreading room for the coastal trail and aims to ensure the public enjoyment of this area by establishing new rights

Appendix 2 Emerging Policies Discussion Draft PPBHWP

of access and to make the extent of people's access rights clearer and more cohesive on the ground.

Paragraph 168 of the NPPF states that Local Planning Authorities should ensure that development does not hinder the creation and maintenance of a continuous signed and managed route around the coast, (as required by the Marine and Coastal Access Act 2009).

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 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. Section 296 of the Act places a duty on Natural England and the Secretary of State to use their powers to secure the twin objectives: To secure a route round the whole of the English coast (an approved mapped line not a physical path); and, To secure an associated margin of land for the public to enjoy.

The margin includes all land between the trail and the sea. It may also extend inland from the trail if: it is a type of coastal land identified in the Countryside and Rights of Way Act 2000 (CROW Act), such as beach, dune or cliff there are existing access rights under section 15 of the CROW Act Natural England and the landowner agree to follow a clear physical feature landward of the trail.

Collectively the approach aligns with the wider Local Plan objectives and in particular objective 6.6 where the aim is to provide improved open space provision, access and connectivity across the Districts network of green infrastructure in order to ensure it functions as a strategic multi- functioning network, facilitates increased walking and cycling, improves the accessibility of new homes and contributes to health communities as well as deflecting pressures and avoiding adverse impacts on the existing Habitat Sites from recreational pressure.

Policy ENV 5

Green Infrastructure

All Development proposals will be expected to fully incorporate green infrastructure principles into proposals, including the enhancements and opportunities identified in the Green Infrastructure Background Paper and where appropriate the Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy and any future guidance/strategies adopted by the Council and will provide a detailed scheme for:

1. the provision and delivery of new green infrastructure; and
2. the mitigation and enhancement of existing green infrastructure; and
3. improving green infrastructure connectivity; and
4. include a maintenance and management strategy.

Where it can be clearly demonstrated that green infrastructure cannot be delivered on site then contributions will be required to deliver enhancements and mitigation to existing green infrastructure close to the site.

Enhanced Green Infrastructure

In line with the Norfolk Recreational Impact Avoidance and Mitigation Strategy proposals of 50 dwellings are required to provide additional Enhanced Green infrastructure as identified in the Norfolk Green Infrastructure & Recreational Impact Avoidance and Mitigation Strategy and any subsequent SPD.

Public Rights of Way

Public Rights of Way and access will be protected, enhanced and promoted. New development should create convenient and attractive links within development and to the surrounding area, assist with creation of a network of accessible greenspace and provide links to public transport and walking and cycling networks.

Development will not be permitted if it would hinder the creation, maintenance or planned investment in a continuous signed and managed route around the English coast (*1).

(*1) As required by the Marine and Coastal Access Act 2009.

ENV6 Trees, Hedgerows & Development

The purpose of this policy is to protect trees, hedgerows, woodland and other natural features from harm, including loss and deterioration and to provide compensatory replacement provision where necessary.

Trees, hedgerows, woodland and other natural features form an essential part of North Norfolk's landscape character, enhancing the aesthetics of an area, the quality of the environment, providing a habitat for a range of wildlife and providing important ecological corridors or 'stepping stones' through the landscape for a variety of species for commuting or foraging. They can also have many other benefits including providing shade, stabilising soil, helping to reduce noise, and prove beneficial in terms of atmospheric filtering air pollution and flood mitigation. As such, the planting of new trees and woodland across the district will be positively encouraged in order to mitigate against the impacts of Climate Change and to enhance the character and appearance of the area.

Appendix 2 Emerging Policies Discussion Draft PPBHWP

Where new development is proposed the preference will always be to incorporate existing natural features into the development. In exceptional circumstances where the benefit of development is demonstrated to outweigh the benefit of preserving natural features, development will be permitted subject to adequate compensatory provision being made, preferably by native ~~British~~ species of commensurate **biomass and** value to that which is lost.

Many trees in the District have protected status, under the designation of Tree Preservation Orders (TPO) or by being situated within a Conservation Area. A TPO is an order made by the Local Planning Authority (LPA) in England to protect specific trees, groups of trees or woodlands in the interest of amenity. ~~A TPO prohibits cutting down, topping, lopping, uprooting, willful damage and willful destruction of trees without prior written consent of the LPA.~~ **The NPPF defines an 'ancient' or 'veteran tree' as "A tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value". 'Ancient trees' are usually older than the majority of trees of the same species in the same geographic area, whilst a 'veteran tree' is one with similar characteristics to an ancient tree, but not necessarily ancient in years.**

Harm to protected trees includes, but is not limited to, excessive pruning, incursion in the root protection area, alterations to ground levels or complete removal of the tree. Planning permission will only be granted where development would not conflict with the purposes of the preservation order of a tree, group of trees or woodland unless there is a substantiated justification.

Where a proposed development retains existing trees and hedgerows on-site, or where development occurs within a tree root protection area, provision must be made for their care and protection throughout the duration of the development with mitigation measures being put in place to ensure that development works do not have a harmful impact on existing trees. A satisfactory arboricultural impact assessment should be submitted in accordance with BS5837 (or the equivalent applicable standard should this be superseded over the plan period), which sets out these details.

Proposals must also take into account the longer-term relationship between trees and a development. In some circumstances, even when a development can be physically constructed without resulting in harm to a tree, the proximity and liveability of the development with the tree can result in long-term pressure for the tree to be constantly pruned or even felled.

Policy ENV 6

Trees, & Hedgerows & Development

The retention and incorporation of existing and/or new trees and hedgerows within a proposal will be supported. The planting of new trees, hedgerows and woodland throughout the district having regard to the North Norfolk Landscape Character Assessment will be encouraged;

- (i) to mitigate against the impacts of climate change;
- (ii) to enhance the character and appearance of the district;
- (iii) to improve the green infrastructure provision and ecological connectivity, where it would not conflict with other nature conservation interests.

A) Protected trees, hedgerows and woodland

Development that will harm or require the loss of a protected tree, (s) or hedgerow(s) or woodland (*1) and trees classified as being of categories A or B in value (BS5837:2012) will only be permitted in exceptional circumstances where it would allow for a substantially improved overall approach to the design and landscaping of the development where the public benefit of the development would clearly outweigh the loss or deterioration of any tree, or hedgerow or woodland. In such circumstances, where the loss of such features is demonstrably unavoidable, adequate replacement provision, taking account of size, comparable biomass and preferably by native species, will be required. In these circumstances, developers will be required to ensure that the loss will be suitably compensated for, taking into account the size and condition of the tree.

B) Other Natural Features

Harm or loss to any natural landscape feature will not be permitted unless a landscape strategy, which would compensate for the loss or harm, is secured or where the overriding benefits arising from the development outweighs the harm.

Where a proposed development retains existing trees and hedgerows on-site, or where development occurs within a tree root protection area, provision must be made for their care and protection throughout the duration of the development with mitigation measures being put in place to ensure that development works do not have a harmful impact on existing trees.

(*1) Includes preserved trees and woodland, protected hedgerows, trees in Conservation Areas, ancient trees and woodland, aged and veteran trees and any other tree of category A or B as per BS 5837:2005 (as amended).

ENV 9 High Quality Design

The purpose of this policy is to provide a set of design principles which when followed will result in improved design and ensure the special character and qualities of North Norfolk are maintained and enhanced.

The National Planning Policy Framework states that “the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this”.

The Framework states that permission should be refused for development of poor design that fails to take the opportunities available to improve the character and quality of an area and the way it functions, taking into account any local design standards or style guides in Plans or Supplementary Planning Documents. The Council is currently producing a

Appendix 2 Emerging Policies Discussion Draft PPBHP

replacement North Norfolk Design Guide which is published for consultation alongside this Draft Plan.

North Norfolk has an exceptionally rich and diverse built and natural environment. The interaction between people and place has resulted in the District's unique qualities that we see today. Design is not just about how a place looks, but also how a place functions; well-designed developments improve the functionality of places and create high quality environments that can be enjoyed by residents now, and in the future. Securing high quality design is important in achieving many of the essential wider aims and objectives under the umbrella of achieving sustainable development. Securing high quality design contributes to quality of life and influences our health and well-being. High quality design reinforces or creates a sense of place, making North Norfolk a better place to live, work and spend time. Well-designed places encourage social interaction, helping to create inclusive communities, providing equal access to opportunities, services and facilities, whilst reducing opportunities for crime and promoting natural surveillance of the public realm and open spaces.

The North Norfolk Design Guide Supplementary Planning Document provides guidance on how design should complement local architectural traditions and how sustainable construction techniques can be incorporated within the context of the quality and character of the existing built heritage. Conservation Area Appraisals and the Landscape Character Assessment provide a more detailed local context for the consideration of development and should also be taken into account where they have been produced. There will be reviews of such statements during the lifetime of the Plan and the most up to date material should be referred to.

Design and Access Statements are required to be submitted with all major planning applications and these should demonstrate how a proposal is functional, attractive and accessible to all. The criteria in 'Building for Life', as referenced in Paragraph 129 of the NPPF, **and the updated criteria in 'Building for a Healthy Life'** ¹¹ are useful for considering character, public space, design and construction and the surrounding environment and communities and developers are encouraged to incorporate these principles in proposals.

In October 2019 the Ministry for Housing Communities and Local Government produced a National Design Guide¹², which provides detail on the ten characteristics of good design. This guidance should be incorporated in proposals. Any subsequent urban design good practice guidance or similar that the Council wishes to endorse will be made available on the Council's website and should be incorporated into proposals.

~~alongside any further urban design guidance that is endorsed by the Council will be referenced through the Council's website, which will be updated as guidance continues to be published.~~

The Council may encourage design reviews to take place during the assessment of large and complex sites and encourages early engagement in line with Paragraph 128 of the NPPF and will facilitate constructive dialogue at the pre-application stage.

Paragraph 79 of the NPPF states that planning policies and decisions should avoid the development of isolated homes in the countryside "unless the design is of exceptional quality, in that it: is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural area; and

¹¹ https://www.udg.org.uk/sites/default/files/publications/files/14JULY20%20BFL%202020%20Brochure_3.pdf

¹² https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/843468/National_Design_Guide.pdf

Appendix 2 Emerging Policies Discussion Draft PPBHP

would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area". Due to the rural nature of the district it is envisaged that there will be a number of Paragraph 79 applications. When considering these applications the Council would expect that the standards of design would be above and beyond the typical high levels of design expected of all development within the district. Further detail is to be provided through the North Norfolk Design Guide.

The Council intends that this policy relates to all forms of development within the District to ensure that the highest design standards are applied equally across all development throughout North Norfolk. Through this Plan the Council is seeking to deliver approximately 5,000-6,000 new dwellings on large sites and, as a result, many of these proposed allocations will include an element of affordable housing. Where this is the case, it is the intention of the Council that the design principles, as set out within this policy and supported by the guidance in the North Norfolk Design Guide, are equally applied to both market dwellings and all types of affordable housing. In terms of design there should be no difference between market and affordable dwellings.

The Council's design policy and supporting planning documents are intended to introduce a step change in the design aspirations for the District. In line with the changes to the NPPF and the increased focus upon promoting high quality design, the policy seeks to incorporate a number of key urban design principles which must, where possible, be incorporated into all schemes:

Quality of the Public Realm

For places to work and foster sustainable communities it is important that the public realm is of high quality, feels safe, is vibrant, is inclusive to all social groups, and is adaptable to the changing needs of the community. This can be achieved through: Locating public spaces on main lines of movement and pedestrian connection nodes; ensuring that spaces present imaginative, high quality design and contribute to the District's wider green infrastructure framework; ensuring that spaces and routes are overlooked from surrounding buildings, with active frontages onto spaces, where appropriate; creating incidental and/or small areas of grass/open space should be used to complement green infrastructure and the overall movement network; prioritising the retention of key natural features, such as mature trees, hedgerows and land forms; provide new trees, including street trees, hedgerows and additional native species planting as part of the overall landscaping framework throughout a site; strengthening and protecting existing boundary hedgerows around the site; providing appropriate landscaping and screening to aid residential amenity; and reducing the potential impact of artificial light pollution and its effects on wildlife and the rural setting.

Landscape and Green Infrastructure

The importance upon the spaces around new development should not be underestimated in the design of new development. Good landscaping can actively enhance, complement, soften or even obscure development as necessary. The landscape of North Norfolk gets its unique identity from the natural setting and historical development. New development should respect, respond and enhance this unique landscape character. New development should share common characteristics with its locality and reinforce local identity as well as providing well designed accessible landscapes and public open spaces.

Movement and Connectivity

In considering the potential of new development, making the right connections into and out of the site is a major component of place-making. The distribution and hierarchy of streets have an important relationship with distribution of land uses, density and pattern of activity.

Creating new walking and cycling routes and connecting to the existing walking and cycling network by the simplest and most direct way should be a major consideration and priority in all new developments in North Norfolk.

Important approach routes have been identified on the Policies Maps which provide important views while travelling into a settlement. These have been selected on the basis of their 'gateway' function for visitors of the wider settlement. Development proposals along these routes should have particular regard to their setting. The Government publication 'Manual for Streets' aims to assist in the creation of high quality residential streets and should be used in such proposals.

Character

Respecting the rural and historic character of much of North Norfolk, it is important that new proposals preserve or enhance the historic environment and/or respect or improve the local character. This can be achieved through careful design, incorporating high quality details and materials **that respect and reflect the character of the area** and through careful consideration of layout, form, style, massing, scale, **and density and the local vernacular.**

~~The draft North Norfolk Design Guide sets out the guidance as to minimum densities both in terms of location and in terms of scale of development. A summary of this is set out as follows:~~

- ~~• Urban Centre: 30-50dph~~
- ~~• Urban Fringe: 20-40dph~~
- ~~• Village Centre: 15-35dph~~
- ~~• Village Fringe: 10-30dph~~

~~In terms of conformity with the spatial strategy of the Local Plan, the term 'urban' relates to Large and Small Growth Towns and 'village' refers to Service Villages and Infill Villages. Further detail can be found in the North Norfolk Design Guide.~~

Safety

'Secured by Design' principles are expected to be incorporated within all schemes. This will require particular consideration to layout of the development to increase natural surveillance, layout of roads and footpaths, appropriate planting, specific consideration of the use/misuse of open space and secure standards of doors and windows for example. Further advice on 'Secured by Design' is available from Norfolk Constabulary. In town centres covered by CCTV systems, developers will be required to consider these facilities in their design and / or contribute to the siting / re-siting of cameras where appropriate.

Amenity

Residents have the right to adequate privacy levels and to be kept free from excessive noise, odours and unwanted social contact. The Council will therefore look for layouts to take account of the position of dwellings and the arrangement of their rooms and windows and private amenity space.

Accessibility and Adaptability

Appendix 2 Emerging Policies Discussion Draft PPBHWP

The District has one of the highest percentage of over 65s in the country. The population is aging and the trend is accelerating. There is a historic deficit and lack of accessible and adaptable properties across all tenures in the District with the greatest requirement remaining in the private sector. Given the District's increasing older population structure and high proportion of older, smaller traditional housing stock, it is important that the supply of accessible and adaptable homes is significantly increased. With public health and social care strategies placing more emphasis on supporting people in their own homes rather than moving to residential care it is also important that the Council seek to ensure that more accessible homes are provided in the district and that adaptations are easier and cheaper to undertake.

Space Standards

The size and layout of new dwellings have an important influence on health and well-being as well as future adaptability and with the aging population in North Norfolk is an important consideration for the Local Plan. The nationally described space standards deal with internal space within new dwellings across all tenures. The standard sets out the minimum requirements for the Gross Internal (floor) area of new dwellings at a defined level of occupancy as well as floor area and dimensions for key parts of the home, e.g. bedrooms, storage and floor to ceiling height. Utilising these optional technical standards allows the Council to seek to increase the dwelling sizes in relation to property sizes where there is the greatest need, ensuring that properties across the District are built to meet expectations and new dwellings continue to have a positive impact on Local plan delivery targets.

Climate Change & Energy Efficiency

Delivering sustainable development and adapting to climate change includes the requirement to minimise demand for resources and mitigate the impacts from climate change. With the focus on the quality of homes in the NPPF, the national emphasis on more energy efficient homes and the aim of zero carbon homes, local authorities can play a role in incentivising industry to help meet the national carbon reduction targets as well as increase long term sustainability and people's well-being. In relation to managing SuDS, consideration should be given to the four pillars of Water Quantity, Water Quality, Amenity and Biodiversity, and taking into consideration multi-functional benefits of land use and materials such as permeable materials to aid infiltration and green roofs for storage.

Public Art

Public art is recognised as having a significant role in creating successful places and establishing vibrant communities. Public art has the ability to make buildings and places more distinctive, attractive and legible.

Parking

Parking provision and parking within the streetscene can have a significant bearing on the character and appearance of an area and its functionality. Parking can tend to dominate streets, weaken the sense of enclosure and erode urban design qualities. Imaginative solutions are therefore required to respond to the challenge. Parking has to be designed carefully and parking capacity needs to be flexible.

Electric Vehicle Charging Infrastructure

The level of provision of electric vehicle charging points should be appropriate to the development size and type, its level of parking provision and its context and location. In the case of car parks, upstanding or inset charging points can be integrated into the design,

Appendix 2 Emerging Policies Discussion Draft PPBHP

whereas more innovation may be required for on-street charging points which should be integrated into street lighting columns or other smart street furniture items so as to reduce street clutter.

Major development design principles

New para: Major Development is defined within the NPPF for residential development as development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m² or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Whilst all development must accord with the overall design principles of this policy, minor developments, extensions and alterations etc. would, by their nature, may not be able to address all of these principles.

Further detail on the specific application of these design principles can be found in the North Norfolk Design Guide.

Policy ENV 9

High Quality Design

All development proposals should seek to make efficient use of land, but whilst reflecting the characteristics of the site and the local surrounding area in their terms of layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

All development proposals should respond to current best practice and demonstrate that they are in conformity with the design principles set out in established urban design guidance, any subsequently produced design Supplementary Planning Document adopted by the Council or other design guidance endorsed by the Council and/or through neighbourhood planning.

The Council will expect proposals for all development and other works to comply with the North Norfolk Design Guide, and successor documents, or provide justification for a departure from the guidance. demonstrating a high quality of design that:

Major Development

All proposals for major development will be expected to demonstrate a high quality of design that:

1. contributes positively to the public realm and public spaces; creating high quality, sustainably designed places and spaces that maximise uses and activities;
2. retains existing important landscaping and natural features, in accordance with Policy ENV2 'Protection & Enhancement of Landscape & Settlement Character', and includes landscape enhancement schemes that are compatible with the Landscape Character Assessment and ecological network mapping;
3. provides opportunities to enhance the green infrastructure network across the District in accordance with Policy ENV 5 'Green Infrastructure'
4. maximises connectivity, creating a movement hierarchy which is legible, permeable and well connected;
5. incorporates footpaths, cycle paths, green links and networks to the surrounding area, respecting important approach routes;

6. preserves or, where possible, enhances the special character of the historic environment in accordance with Policy ENV 11 'Protecting and Enhancing the Historic Environment' and relevant Conservation Area Appraisals;
7. integrates, to a high degree of compatibility with the surrounding area, in terms of: layout, form, style, massing, scale and density, ensuring that development makes efficient use of land while respecting the distinctive local character;
8. reduces opportunities for crime, terrorism and antisocial behaviour, creating safe, secure and accessible environments reflecting principles of Secured by Design;
9. provides appropriate private amenity space, and, where appropriate, includes facilities for refuse, recycling and servicing, whilst respecting residential amenity of both new dwellings and nearby occupiers in accordance with Policy ENV 10 'Protection of Amenity';
10. ensures that development is designed in accordance with the Council's Optional Technical Housing Standards as set out in 'Accessible & Adaptable Homes';
11. incorporates sustainable construction principles contained within Policy HOU 11 'Sustainable Construction, Energy Efficiency & Carbon Reduction';
12. maximises the opportunities for the provision of Sustainable Drainage Systems (SuDS) taking into account the multi-functional benefits of compatible land uses and materials as detailed within Policy SD 10 'Flood Risk & Surface Water Drainage';
13. incorporates public art into schemes; and,
14. provides adequate parking provision that is discreet and accessible in line with Policy SD15 'Parking Provision'.

Small scale development, including extensions and alterations

Small scale development including extensions and alterations will be expected to demonstrate a high quality of design in accordance with the criteria 1-14 where applicable

ENV 10 Protection of Amenity

The purpose of this policy is to maintain, protect and promote ~~amenity~~ **adequate living and working conditions for** ~~of~~ the District's communities in order to ensure that **all occupants'** ~~residents~~ benefit from a good standard of amenity.

For the purposes of this policy 'amenity' is defined as those desirable features of a place that ought to be protected or enhanced in the public interest. The Council will expect **all** development to avoid harmful effects on the amenity of existing and future occupiers and nearby properties or, where this is not possible, to take appropriate measures to minimise potential negative impacts.

The potential impact of development needs to be considered both on an individual, as well as cumulative, basis. **The NPPF is clear that** the continuance of existing businesses, **which are already established in a locality**, should not have unreasonable restrictions placed on **them** ~~to~~ because of the introduction of new and incompatible land uses. Such matters will be an important planning consideration in relation to amenity.

In relation to new residential development, it is important to also highlight that homes must be designed to meet the minimum space standards set out in Policy HOU 9 to ensure that they will offer a reasonable level of residential amenity and quality of life.

Private Amenity Space

Provision will be made for adequate external private amenity space which is appropriate for and integral to any new residential development. Any applications for

Appendix 2 Emerging Policies Discussion Draft PPBHWP

conversions to residential will also need to make provision for adequate external private amenity space or demonstrate why this may not be feasible.

Privacy and Outlook

A development's impact upon ~~visual privacy, and outlook and disturbance from artificial light~~ can be influenced by its design and layout and can affect the amenity of existing and future occupiers. The Council will expect that these elements are considered at the design stage of a scheme. Further detail on amenity can be found within the North Norfolk Design Guide.

Sunlight, Daylight and Overshadowing

Loss of sunlight and daylight can be caused if spaces **and buildings** are overshadowed by development. To assess whether acceptable levels of daylight and sunlight are available to **indoor** habitable **spaces, as well as** outdoor amenity and open spaces, ~~regard should be given to~~ in conformity with the guidance set out ~~within~~ the North Norfolk Design Guide.

Artificial Lighting Levels

The North Norfolk coast boasts some of the darkest skies in the country. The lack of artificial light helps the coast retain its rural character and overall tranquility. The Norfolk Coast Area of Outstanding Natural Beauty (AONB) Partnership have, as part of their 20 year vision, a vision for the area that sets out "...[that] the area will still be essentially unspoilt with a strong feeling of remoteness, peace and tranquility, with wide skylscapes, seascapes and dark night skies that show the richness and detail of constellations."

To date, two locations in North Norfolk (Wiveton Downs and Kelling Heath Holiday Park) have been awarded Dark Sky Discovery Site status and special attention should be given to these areas and the wider AONB. Lighting in new development should be limited to that necessary for security. Consideration should also be given to ways of minimising light pollution from exterior lighting, large glazed areas, sky lights etc.

National Planning Practice Guidance provides further advice on how to consider light within the planning system, in particular, setting out the factors to be considered when assessing whether a development proposal might have implications for light pollution. Further detail regarding artificial lighting can be found in the North Norfolk Design Guide.

Noise and Vibration

Noise and vibration can have a major effect on amenity. The World Health Organisation (WHO) states that excessive noise can seriously harm human health, disturb sleep and have cardiovascular and behavioural effects. Where uses sensitive to noise are proposed close to an existing source of noise or when development that is likely to generate noise is proposed, the Council will require an acoustic report to accompany the application.

Odours, Fumes and Dust

Odours, fumes and dust can be generated from commercial cooking, industrial process and construction and demolition which have the potential to cause a range of health

Appendix 2 Emerging Policies Discussion Draft PPBHWP

problems, including respiratory diseases. We will require all development likely to generate nuisance odours to install appropriate extraction equipment and other mitigation measures. These should be incorporated within the building where possible. External extraction equipment and ducting should be sited sensitively, particularly on listed buildings and within conservation areas. Further detail on amenity can be found within the North Norfolk Design Guide.

Policy ENV 10

Protection of Amenity

~~For a~~ All new development, ~~consideration will provide for a high standard of need to be given to~~ general amenity impact issues, especially including adequate living and working conditions. This standard should be achieved and maintained without preventing or unreasonably restricting the continued operation of established authorised uses and activities on adjacent sites.

Development will not be permitted which causes unacceptable ~~effects~~ impacts on the residential amenity of neighbouring occupants, or does not provide for adequate levels of amenity for future occupants.

In assessing the impact of development on the living and working conditions of existing or future occupants, ~~regard proposals~~ will be had to in conformity with the North Norfolk Design Guide (or any successive document) or provide a justification for any departure from this and will have regard to the following considerations:

- ~~1. The provision of adequate areas of useable and secluded private amenity space for the occupiers of proposed dwellings, in keeping with the character of the immediate surrounding area;~~
- ~~2. the protection of adequate areas of useable and secluded private amenity space for the occupiers of existing dwellings, in keeping with the character of the immediate surrounding area;~~
2. ~~3.~~ Loss of privacy and outlook and prevention of overlooking of windows of habitable rooms and private amenity space;
- ~~4. overbearing impact/visual dominance;~~
- ~~5. of overshadowing of private amenity space;~~
3. ~~6.~~ loss of daylight and/or sunlight and prevention of overshadowing to existing windows of habitable rooms;
4. ~~7.~~ prevention of disturbance from odour, noise, vibration, dust, air and artificial light pollution. or other forms of nuisance such as artificial light pollution, insects and vermin; and
- ~~8. other forms of pollution (including, but not limited to: contaminated land, dust, air and light pollution).~~

ENV 11 Protecting and Enhancing the Historic Environment,

The purpose of this policy is to conserve and where possible enhance the historic environment.

Appendix 2 Emerging Policies Discussion Draft PPBHP

The Local Plan aims to ensure that North Norfolk's ~~built heritage~~ historic environment is conserved or, wherever possible enhanced and that new development is of high quality design. Paragraph 185 of the NPPF states that “Plans should set out a positive strategy for the conservation and enjoyment of the historic environment”. The NPPF also states that Local Plans should include strategic policies to “make sufficient provision for ...conservation and enhancement of the ...historic environment” (Paragraph 20). The quality of the built environment and the presence of historic assets make a valuable contribution to the appeal of North Norfolk.

There are 81 Conservation Areas, 2265 Listed Buildings, including 94 Grade I and 202 Grade II*, 86 Scheduled Monuments and 33 Historic Parks and Gardens within the District. There are also ~~190 more than~~ 250 buildings on the Council’s Local List. These are buildings that do not fully meet the criteria for being nationally listed, but are considered of architectural or historical importance for the local area, **meeting Historic England’s criteria for Local Listing as set out in Historic England’s Advice Note 7: Local Heritage Listing**¹³.

New Para: Local Listing does not introduce any additional powers of control, instead it acts as a means of identification and plays an important role in the assessment of development proposals. The effect of an application on the significance of a non-designated heritage asset is a material consideration when deciding planning applications, and Local Listing strengthens the case for retention of a historic building. The number of non-designated heritage assets on the list is likely to increase over time as new buildings and other assets are identified. The requirements of the policy equally apply to any local heritage assets identified and listed in adopted Neighbourhood Plans.

Planning Practice Guidance (PPG) states “any decisions relating to Listed Buildings and their settings and Conservation Areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 (see in particular sections 16, 66 and 72) as well as satisfying the relevant policies within the National Planning Policy Framework and the Local Plan”. The PPG sets out the detailed considerations that must be followed in these applications.

New Para: All development proposals should, in the first instance, avoid harm to any heritage asset. Only where harm cannot be avoided will mitigation then be considered. Key distinctions are drawn in the NPPF¹⁴ between designated and non-designated heritage assets in respect of the level of protection provided and between harm which is 'substantial' and 'less than substantial'. This affects the level of planning benefit which a proposal will need to demonstrate in order to be supported. The threshold for justifying substantial harm to a heritage asset is higher than the threshold for justifying less than substantial harm.

All development proposals that would affect the significance of a designated or non-designated heritage asset and / or its setting, or any known, or possible, archaeological sites, will be required to provide, in the form of a heritage statement, sufficient information proportionate to the importance of the asset and the impact of the proposed development, to enable any impact to be accurately assessed.

The Council has prepared a number of Conservation Area Appraisals and Management Plans (CAAs) which look at the boundaries, general conditions, identity and character of individual Conservation Area designations. Negative features that detract from the special qualities of an area are also identified and management recommendations for protection and enhancement of the area are proposed. The Council is establishing a programme for the

¹³ <https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/heag018-local-heritage-listing/>

¹⁴ Chapter 16. Conserving and enhancing the historic environment, NPPF 2018.

Appendix 2 Emerging Policies Discussion Draft PPBHP

next round of CAAs. The policy requires that proposals within Conservation Areas should be determined in accordance with any relevant CAAs which are a material planning consideration. High quality maintenance and repair of historic assets will also be encouraged. Where necessary, the Council will employ measures to maintain and enhance the quality of Conservation Areas such as Urgent Works and Repairs Notices, Section 215 Notices and Article 4 Directions.

Development proposals should identify assets of archaeological significance. A heritage statement will be required for development sites that are known or thought to have the potential to include non-designated heritage assets with archaeological interest. Where appropriate, preference will be given to preservation of archaeological remains in situ unless it can be shown that the recording of remains, assessment, analysis, report, publication and deposition of archive is more appropriate. It is important to note that, as a result of lack of information or awareness, many heritage assets remain undiscovered or without official recognition. The existence of an asset may become apparent as a result of a planning application, at which time the Council may deem that it is appropriate to apply this policy.

New Para: Historic England hold a Heritage at Risk Register¹⁵ which currently contains 19 entries in North Norfolk. Support will be given to proposals that bring into use or improve an asset so it is no longer deemed at risk on the Heritage at Risk Register.

The conservation of heritage assets does not prevent all change but requires it to be managed in a way which does not compromise heritage significance and which exploits opportunities for enhancement.

Policy ENV 11: Protecting and Enhancing the Historic Environment

The Council will protect, conserve and, where possible, enhance heritage assets ~~throughout the District~~ through the special protection afforded to Listed Buildings, Conservation Areas, **Registered Parks and Gardens** and Scheduled Monuments and through careful control of development that might adversely affect non-scheduled, nationally important archaeological remains; other areas of archaeological potential or importance; historic features and their settings; non-designated heritage assets; and areas of historic landscape or parkland (including, but not limited to, those on the Historic England Register of Parks and Gardens of Special Historic Interest).

The Council will protect, conserve and, where possible, enhance the North Norfolk historic environment by:

- (a) conserving the historic dimension of the landscape;
- (b) conserving cultural, built, historic and archaeological features of national and local importance and their settings, including those that are not formally designated;
- (c) identifying and protecting locally important buildings that contribute to the area's local character and identity; and
- (d) increasing opportunities for access, education and appreciation of all aspects of the historic environment, for all sections of the community.

In all cases there will be an expectation that any new development will enhance the historic environment or better reveal the significance of the heritage asset, in the first instance, unless there are no identifiable opportunities available. In instances where existing features have a negative impact on the historic environment, as identified through

¹⁵ <https://historicengland.org.uk/advice/heritage-at-risk/>

character appraisals, the Council will, as part of any development proposal, seek the removal of the features that undermine the historic environment. The re-use of Listed Buildings and buildings identified on the Local List will be encouraged and the optimum viable use that is compatible with the fabric, interior and setting of the building will be permitted.

Designated Heritage Assets

Development proposals, including alterations and extensions, should, conserve or where opportunities arise, enhance a designated heritage asset including any contribution to that significance by its setting. Harm should be avoided in the first instance. Any harm requires clear and convincing justification.

Development proposals, including alterations and extensions, that result in substantial harm to or total loss of significance of a designated heritage asset ~~and/or~~ including any contribution to that significance by its setting will only be permitted in exceptional circumstances (Grade II) or wholly exceptional (Grade II* and Grade I and Scheduled Monuments) where it is demonstrated that the harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss. Where a development proposal will lead to less than substantial harm this harm should be weighed against the public benefits of the proposal.

Non-designated Heritage Assets

Development proposals, including alterations and extensions, should, conserve or where opportunities arise, enhance a non-designated heritage asset including any contribution to that significance by its setting.

Development proposals, including alterations and extensions, that result in substantial harm to or total loss of significance of a non-designated heritage asset including any contribution to that significance by its setting will be required to provide sufficient information to demonstrate that any harm has been fully assessed. The Local Planning Authority will make a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset.

Conservation Areas

The character and appearance of Conservation Areas will be conserved, and where possible opportunities arise enhanced. ~~and,~~

In consultation with all relevant stakeholders, a further programme of conservation area appraisals and management plans will be undertaken and used in the determination of development proposals.

Archaeology

Development proposals should identify assets of archaeological significance. An archaeological evaluation will be required for development sites that are known or thought to have the potential to include non-designated heritage assets with archaeological interest. Where appropriate, archaeological remains should be left in situ following further design/engineering work. If the benefits of a particular development are considered to outweigh the importance of retaining archaeological remains in situ, satisfactory excavation and recording of remains will be required before development is begun.

Heritage Statement

Development proposals that would affect the significance of a designated or non-designated heritage asset including any contribution to that significance by its setting ~~and/~~

Appendix 2 Emerging Policies Discussion Draft PPBHWP

~~or its setting, or any known or possible archaeological sites,~~ will be required to provide, in the form of a heritage statement, sufficient information proportionate to the importance of the asset and the impact of the proposed development, to enable any impact to be accurately assessed.

Heritage at Risk

Development proposals that bring into use or improve an asset so it is no longer deemed at risk on the Heritage at Risk Register will be supported where appropriate to their significance.

End